

Panama

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Freedom of the Press

Press freedom in Panama continued to be threatened in 2013 by both the judicial branch and state agencies under the direct supervision of President Ricardo Martinelli, with the risk of legal repercussions encouraging self-censorship among journalists. Freedoms of speech and of the press are protected by the constitution, but the law allows for the prosecution of journalists for vaguely defined offenses related to the exposure of private information, and prescribes severe penalties for leaking government information to the press.

Although there has been discussion about repeal, journalists are still constrained by *desacato* (disrespect) laws that protect government officials from public criticism. Since 2008, imprisonment has been excluded as a punishment for libel and slander against high-ranking public officials, but they remain criminal offenses. Cases occur regularly and often take years to move through the legal system. In April 2013, managers of the daily *La Estrella* were ordered to stand trial on charges of violating the honor of Lourdes Castillo, a member of the Panama Canal Authority. The case, which stemmed from a series of articles on contracting irregularities, was ongoing at year's end. The Inter American Press Association (IAPA) reported that at least four papers faced court cases during 2013. In addition, the administration exploited the Electoral Ethical Pact—which established a code of conduct to promote clean elections in 2014—to issue a nonmonetary sanction against the daily *Panama America* after it published an investigation on a congressman and Panama City mayoral candidate who was being sued by his former wife for child support.

Despite the existence of transparency legislation, access to public information remains limited. Government officials sometimes refuse to release information, especially in cases involving corruption, and updates to official websites are often late, if undertaken at all.

The press encountered instances of censorship during 2013, as tension increased between the Martinelli administration and the media. The president has alleged that the media “only like bad news” and accused owners of using their outlets “to blackmail and scare presidents and ministers.” In October the website of *La Prensa* newspaper was blocked for eight hours following its reporting about the investigation of Martinelli relatives who had allegedly received payoffs from an associate of former Italian prime minister Silvio Berlusconi. The president often refuses questions from outlets he deems antagonistic, especially *La Prensa*, and multiple officials in Martinelli's administration have refused to give interviews to news channels they consider to be opposed to the government.

Journalists in Panama remain fairly safe compared with colleagues in some neighboring countries. However, verbal and physical attacks against independent news outlets and journalists continued in 2013, in line with a trend of increased tensions since 2010. The Union of Panamanian Journalists registered 43 episodes of abuse as of the end of August, most of which involved verbal threats and intimidation. In June, Elizabeth González and cameraman Bolívar Jurado of Canal TVN were detained by Security Council guards for allegedly violating security norms after filming near Ancón Hill outside Panama City, which is considered a high-security area. After officials reviewed the video material, they released the reporters. In a positive development that month, a criminal court convicted and imposed lengthy prison sentences on five defendants for the murder of Darío Fernández Jaén, a radio station owner from Coclé Province who had been shot and killed in 2011 over his outlet's reporting on local corruption.

All Panamanian media outlets are privately owned, with the exception of one state-owned television network and one radio station. There are at least five daily papers, around 100 radio stations, and several national television networks. Cross-ownership between print and broadcast media is prohibited. However, Martinelli is known to own several newspapers in Panama City, along with at least one television station, and critics have labeled him “the tropical Berlusconi.” In June 2013, Martinelli announced that he had bought six radio stations in the interior of the country. The government has also been accused of distributing official advertising according to political criteria. In another possible sign of state pressure, the agency in charge of consumers’ rights opened an investigation in January to determine whether a 15-cent rise in the cover price of *La Prensa* and *La Estrella* constituted a violation of antimonopoly laws; the case was subsequently suspended. There are no government restrictions on the internet, which was accessed by 43 percent of the population in 2013.

2014 Scores

Press Status

Partly Free

Press Freedom Score

(0 = best, 100 = worst)

50

Legal Environment

(0 = best, 30 = worst)

17

Political Environment

(0 = best, 40 = worst)

20

Economic Environment

(0 = best, 30 = worst)

13